



# UNITED STATES ATTORNEY'S OFFICE EASTERN DISTRICT OF VIRGINIA

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**FOR IMMEDIATE RELEASE:**

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## **Two Arrested in Conspiracy to Commit Health Care Fraud and Aggravated Identity Theft**

(Richmond, VA) – Yves Rommel Etienne, a/k/a “Rommel Etienne,” age 35, of Richmond, Virginia, and Lalita D. Etienne, age 30, of Richmond, Virginia, were arrested today on charges of Conspiracy to Commit Health Care Fraud. In addition, Yves Rommel Etienne was charged with two counts of Aggravated Identity Theft. The two were indicted by a federal grand jury on February 20, 2007, for their alleged roles in a conspiracy to defraud Medicaid, while doing business as Premier Healthcare. The indictment also charged Yves Rommel Etienne with misappropriating the personal identifiers of two registered nurses in furtherance of the health care fraud conspiracy. If convicted, each defendant faces a maximum term of ten years of imprisonment for the Conspiracy to Commit Health Care Fraud. In addition, Yves Rommel Etienne faces a mandatory term of two years for each of the two counts of Aggravated Identity Theft.

Chuck Rosenberg, United States Attorney for the Eastern District of Virginia; Bob McDonnell, Attorney General, State of Virginia; and Charles J. Cunningham, Special Agent-In-Charge, Federal Bureau of Investigation, Richmond Division announced the charges.

Premiere offered Personal Care and Respite Care Services to eligible Medicaid recipients in Roanoke, Virginia, and elsewhere in surrounding Virginia jurisdictions. Lalita D. Etienne was the Chief Administrator of Premier, which was initially located in Roanoke, Virginia and continued to operate at several addresses in Roanoke from in or about August 2002 through in or about August 2006. The Etiennes also operated Premiere's business from their residence in Richmond, Virginia.

The indictment alleges that, in furtherance of the conspiracy, Yves Rommel Etienne and Lalita D. Etienne did:

- enter into agreements with the Commonwealth of Virginia, Department of Medical Assistance Services (DMAS), to allow Yves Rommel Etienne, who was

ineligible to become a Medicaid provider, to participate in the Medicaid program as a provider by providing Personal Care and Respite Care Services to Medicaid recipients through Lalita D. Etienne's application for provider numbers. This allegedly included false statements about the ownership, operation, and management of Premier, including the criminal background of persons – including Yves Rommel Etienne – associated with the ownership, operation and management of Premiere;

- present Lalita D. Etienne as the principal owner and operator of Premier, with the full knowledge of both Yves and Lalita, that Yves Rommel Etienne had the primary responsibility for the day-to-day operations of Premiere, which included hiring and firing employees and billing for services;
- hire unqualified and ineligible individuals to serve as nurses' aides;
- forge patient records in an effort to avert the DMAS requirements that a registered nurse conduct the initial assessment of a recipient, conduct mandatory supervisory visits of recipients, and be available for consultation with respite or personal care aides by telephone if needed;
- exploit the identities of bona fide registered nurses to establish the legitimacy of Premiere on documentation with DMAS and to conduct patient assessments; and
- bill or cause to be billed Medicaid by submitting false and fraudulent claims for allegedly providing Personal Care and Respite Care Services to recipients which were not delivered in compliance with DMAS rules and regulations.

In addition, the indictment alleges that Yves Rommel Etienne committed aggravated identity theft in the use of the personal identifiers of two registered nurses in furtherance of the conspiracy to commit health care fraud, in making it appear that bona fide registered nurses were conducting patient interviews and assessments, preparing plans of care, monthly assessment reports, and other documentation kept in Premiere's files. The indictment alleges that, as a result of this conspiracy, the defendants defrauded Medicaid of more than \$1 million.

Virginia Attorney General Bob McDonnell stated that "this important arrest further demonstrates our office's commitment to prosecuting those individuals who steal from the Commonwealth's most vulnerable population. Our Medicaid Fraud Control Unit will continue to work jointly with our Federal partners to combat health care fraud and identity theft."

The case is being investigated by the Federal Bureau of Investigation, Richmond Division, and the Medicaid Fraud Control Unit of the Virginia Attorney General's Office. Assistant United States Attorney Brian L. Whisler and Special Assistant United States Attorney Michael T. Judge are prosecuting the case for the United States.

Defendants are presumed to be innocent until and unless proven guilty.

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